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FILED

DEC -6 2006

RICHARD W. VIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

OSCAR MARTINEZ,

Defendant.

CR NO. 05-00734 RMW RSS

JOINT STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING BAIL REVIEW
HEARING

Defendant Oscar Martinez, through his attorney, and the United States, through its attorney, hereby stipulate and agree and move the Court to continue the bail review hearing of the defendant from its current date of December 13, 2006 to a new date of February 8, 2007 at 9:30 a.m. The reason for the continuance is that Mr. Martinez is currently out of the country and cannot appear on December 13; efforts are being made to arrange for his return and appearance before the Court. Furthermore, the parties have asked that Mr. Martinez's sentencing be scheduled for February 5, and if Mr. Martinez appears for that sentencing, the bail review hearing may become moot.

Dated: December 5, 2006

Respectfully submitted,

/s/ Mark D. Eibert

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE HEARING, U.S. V. OSCAR MARTINEZ, CR NO. 05-00734

MARK D. EIBERT
Attorney for Defendant Oscar Martinez

Respectfully submitted,
/s/ Mark Krotoski

MARK KROTOSKI
Attorney for the Government

ORDER

Good cause appearing therefore, it is hereby ORDERED that the bail review hearing for defendant Oscar Martinez shall be continued until February 8 at 9:30 a.m.

Dated: December 6, 2006


UNITED STATES MAGISTRATE JUDGE